



Frederick P. Fish  
1855-1930

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1859-1951

# FISH & RICHARDSON P.C.

March 11, 2004

Attorney Docket No.: 11926-068002

## Mail Stop Patent Application

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Presented for filing is a new continuation patent application of:

Applicant: VINCENT P. STANTON, JR.

Title: GENE SEQUENCE VARIATIONS WITH UTILITY IN  
DETERMINING THE TREATMENT OF DISEASE, IN GENES  
RELATING TO DRUG PROCESSING

The prior application is assigned of record to Variagenics, Inc.,  
a Delaware corporation, by virtue of an assignment submitted to the Patent and  
Trademark Office and recorded on June 11, 2001 at 011879/0710.

Enclosed are the following papers, including those required to receive a filing date  
under 37 CFR §1.53(b):

|               | <u>Pages</u> |
|---------------|--------------|
| Specification | 264          |
| Claims        | 2            |
| Abstract      | 1            |
| Declaration   | 2            |

### Enclosures:

- Preliminary amendment, 4 pages.
- Copy of Petition for Extension of Time filed in parent.
- Copy of Revocation and New Power of Attorney filed in parent.
- Postcard.

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This application is a continuation (and claims the benefit of priority under 35 USC 120) of U.S. Application No. 09/648,123, filed August 25, 2000, which is a continuation-in-part of U. S. Application 09/590,783, filed June 8, 2000, which is a continuation-in-part of U. S. Application No. 09/501,955, filed February 10, 2000, which is a continuation-in-part of International Application No.PCT/US00/01392, filed January 20,2000, and claims the benefit of U.S. Provisional Application No. 60/121,047, filed February 22, 1999. This application is also a continuation-in-part of U.S. Application No. 09/451,252, filed November 29, 1999, which is a continuation-in-part of U.S. Application No. 09/427, 835, filed October 26, 1999, which is a continuation-in-part of U.S. Application No. 09/414,330, filed October 6, 1999, which is a continuation-in-part of U.S. Application 09/389,993, filed September 3, 1999, which is a continuation-in-part of U.S. Application No. 09/370,841, filed August 9, 1999, which is a continuation-in-part of U. S. Application No. 09/300,747, filed April 26, 1999, and claims the benefit of U. S. Provisional Patent Application serial number 60/131,334, filed April 26, 1999, U.S. Provisional Patent Application serial number 60/131,191, filed April 26, 1999, and U. S. Provisional Patent Application serial number 60/139,440, filed June 15,1999, all of which are hereby incorporated by reference in their entireties, including drawings and tables in the disclosure of this application.

This application is entitled to small entity status.

The filing fee, based on the claims canceled and/or added in the enclosed Preliminary Amendment, is calculated below.

|  |       |
|--|-------|
| Basic filing fee                             | \$385 |
| Total claims in excess of 20 times \$9       | \$0   |
| Independent claims in excess of 3 times \$43 | \$0   |
| Fee for multiple dependent claims            | \$0   |
| Total filing fee:                            | \$385 |

A check for the filing fee is enclosed. Please apply any other required fees or any credits to deposit account 06-1050, referencing the attorney docket number shown above.

If this application is found to be incomplete, or if a telephone conference would otherwise be helpful, please call the undersigned at (617) 542-5070.

FISH & RICHARDSON P.C.

Commissioner for Patents

March 11, 2004

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Kindly acknowledge receipt of this application by returning the enclosed postcard.

Please direct all correspondence to the following:

PTO Customer Number: **26161**

Respectfully submitted,

*Anita L. Meiklejohn Reg No: 54,154*

Anita L. Meiklejohn, Ph.D.

Reg. No. 35,283

Enclosures

ALM/caa

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Vincent P. Stanton, Jr.                      Art Unit : 1655  
Serial No. : 09/648,123                                      Examiner : C. Wilder  
Filed : August 25, 2000  
Title : GENE SEQUENCE VARIATIONS WITH UTILITY IN DETERMINING THE  
TREATMENT OF DISEASE, IN GENES RELATING TO DRUG PROCESSING

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

PETITION FOR THREE-MONTH EXTENSION OF TIME

Pursuant to 37 CFR §1.136, applicant hereby petitions that the period for response to the action dated September 11, 2003, be extended for three months to and including March 11, 2004.

A continuation application is being filed concurrently with this petition. Enclosed is a check for \$475 for the required fee. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: March 11, 2004

Anita L. Meiklejohn, Ph.D. Reg. No. 54,154  
Reg. No. 35,283

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CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

March 11, 2004  
Date of Deposit  
Carrie A. Amonte  
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Carrie A. Amonte  
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